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APPLICATION NO.		FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.	
10/697,860		10/30/2003	Terrence Anton	10052-001	9768	
29391	7590	04/10/2006		EXAMINER		
		ILEE WOLTER	GRAHAM, MARK S			
SUITE 2500		GE AVENUE		ART UNIT	PAPER NUMBER	
ORLANDO, FL 32801				3711		
				DATE MAILED: 04/10/2006		

Please find below and/or attached an Office communication concerning this application or proceeding.

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION. Extentions of the many be waited under the provision of 37 CFR 1.18(a), in no awnth owner, may a reply be simely field If INO period for reply is specified above, the maximum statutory period will apply and will copins SIX (6) MONTHS from the mailing date of this communication. If INO period for reply is specified above, the maximum statutory period will apply and will copins SIX (6) MONTHS from the mailing date of this communication. Fallute for reply within the set or excluded period for reply will, by statute, cause the application to become ABANDODE (36 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filled, may reduce any seemed planetis man adjustment. Set 37 CFR 1.79(b). This action is FINAL. 2b) This action is non-final. 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under Ex parte Quayle, 1935 C.D. 11, 453 O.G. 213. Disposition of Claims 4) Claim(s) 1-21 and 52-64 is/are pending in the application. 4a) Of the above claim(s) 1-21 and 52-64 is/are withdrawn from consideration. 5) Claim(s) 1-33,35-37,39-48 and 52-64 is/are withdrawn from consideration. 5) Claim(s) 1-21 and 52-64 is/are rejected. 7) Claim(s) 1-21 and 52-64 is/are rejected. 7) Claim(s) 1-21 and 52-64 is/are rejected. 7) Claim(s) 1-21 and 52-64 is/are objected to by the Examiner. Application Papers 9) The specification is objected to by the Examiner. 10) The drawing(s) filed on 1-1 is/are: a) 1-2 accepted or b) 1-2 objected to by the Examiner. Application Papers 9) The paper (a) 1-2 and 1-2 an			•				
Examiner Mark S. Graham 3711		Application No.	Applicant(s)				
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- The MALING DATE of this communication appears on the cover sheet with the correspondence address — Period for Reply A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MALLING DATE OF THIS COMMUNICATION. Examinos of time ruley be available under the provisions of 3 CFR 1.1380, in no went, however, any a ruly be finishly liked in the communication. Plant of the provision of t	Office Action Summary	Examiner	Art Unit				
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WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION. Extensions of time may be waited used the provision of 37 CFN 1376b, hin a event, however, may a reply be firrely filed after SX (6) MONTHS from the mailing date of this communication. Failth or regively within the set or extended period for regively with 10 points or become ARANDOFDE (38 U.S.C. § 133). Any reply received by the Office later than these models after the mailing date of this communication. Path the reply within the set or extended period for regively. By statist, each the application is extended period for regively. By a statist can be application become ARANDOFDE (38 U.S.C. § 133). Any reply received by the Office later than these models after the mailing date of this communication, even if timely filed, may reduce any search greater term department. See 37 CFR 1.704(b). Status 1) ⊠ Responsive to communication(s) filed on 21 February 2006. 2a) ⊠ This action is FINAL. 2b) ☐ This action is non-final. 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under Ex parte Quayle, 1935 C.D. 11, 453 O.G. 213. Disposition of Claims 4) ☑ Claim(s) 1-33.35-37,39-48 and 52-64 is/are pending in the application. 4a) Of the above claim(s) 1-21 and 52-64 is/are withdrawn from consideration. 5) ☐ Claim(s) 2-33.35-37,39-48 is/are rejected. 7) ☐ Claim(s) is/are allowed. Claim(s) is/are allowed. 7) ☐ Claim(s) is/are objected to by the Examiner. 9) ☐ The specification is objected to by the Examiner. 10) ☐ The drawing(s) filed on is/are: a) ☐ accepted or b) ☐ objected to by the Examiner. Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a). Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to See 37 CFR 1.121(d). 11) ☐ The eath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152. Priority under 3	• •	/ IO OST TO SVOIDS - 1/01/TH	(a) an Tillety (as) a				
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The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

Claims 22-30, 32, 33, and 35-37 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention. The limitation that the holes are positioned such that they define only one sequence for playing the layout is without support in the originally filed application. While Fig. 2 referenced by applicant shows one sequence for playing there is no support for the new negative limitation that the holes only permit this sequence of playing the course. Though this it is the applicant's intent that the holes be played in the sequence shown, there is no structural impediment to playing the holes in any sequence one desires as the claims now purport to require.

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

Claims 39, 40, 42, and 43 are rejected under 35 U.S.C. 103(a) as being unpatentable over Jones in view of Beam. Jones discloses the claimed course with the exception the use of a substantially equal rectangular dimensions for each hole. However, as disclosed by Beam it is known in the art to use such an arrangement to save ground area. Note Beam's Fig. 1 and Col. 4,

lines 28-32. It would have been obvious to one of ordinary skill in the art to have provided Jones' holes in the same manner if it was desired to provide a more compact golf course.

Regarding the tee positioning Jones discloses that it is known to locate tees at various positions along the fairway. How the tee areas are used is not at issue.

Concerning claim 40, the examine took official notice that golf courses are commonly provided with extra space and swimming pools in country club settings to provide various activities and such is now admitted prior art. It would have been obvious to one ordinary skill in the art to have provided Jones' course in the same manner for the same reason.

Claims 22-28, 30, 32, 33, and 44 are rejected under 35 U.S.C. 103(a) as being unpatentable over Jones in view of Beam and Shaw. Jones discloses the claimed course with the exception the use of a substantially equal rectangular dimensions for each hole. However, as disclosed by Beam it is known in the art to use such an arrangement to save ground area. Note Beam's Fig. 1 and Col. 4, lines 28-32. It would have been obvious to one of ordinary skill in the art to have provided Jones' holes in the same manner if it was desired to provide a more compact golf course.

With regard to the irrigation system, as noted previously such are known in the art as typified by Shaw. It would have been obvious to one of ordinary skill in the art to have provided such with Jones course as well to provide irrigation.

Regarding the tee positioning Jones discloses that it is known to locate tees at various positions along the fairway. How the tee areas are used is not at issue.

Claims 29 and 45 are rejected under 35 U.S.C. 103(a) as being unpatentable over the art as applied to claims 22 and 44 respectively above, and further in view of Taniguchi. Claims 29

and 45 are obviated for the reasons set forth in the claim 22 and 44 rejection with the exception of the lighting. However, as disclosed by Taniguchi it is known in the art to use such on golf courses. It would have been obvious to one of ordinary skill in the art to have done the same with Jones' golf course to allow for night play.

Claims 35-37 are rejected under 35 U.S.C. 103(a) as being unpatentable over the art as applied to claim 22 above, and further in view of Armstrong. Claims 35-37 are obviated for the reasons set forth in the claim 22 rejection with the exception of the target. However, it is known in the golf art to use such targets for golf games as disclosed by Armstrong. It would have been obvious to one of ordinary skill in the art to have used such on Jones' course as well to play a game such as that disclosed by Armstrong.

Claims 46-48 are rejected under 35 U.S.C. 103(a) as being unpatentable over the art as applied to claim 39 above, and further in view of Armstrong. Claims 35-37 are obviated for the reasons set forth in the claim 39 rejection with the exception of the target. However, it is known in the golf art to use such targets for golf games as disclosed by Armstrong. It would have been obvious to one of ordinary skill in the art to have used such on Jones' course as well to play a game such as that disclosed by Armstrong.

Claim 41 is rejected under 35 U.S.C. 103(a) as being unpatentable over the art as applied to claim 40 above, and further in view of Aberg for the reasons set forth in the previous action's application of Aberg.

Applicant's arguments with respect to claims 22-30, 32, 33, 35-37, 39-48 have been considered but are most in view of the new ground(s) of rejection.

Application/Control Number: 10/697,860

Art Unit: 3711

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, THIS ACTION IS MADE FINAL. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication should be directed to Mark S. Graham at telephone number 571-272-4410. My Malian

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Page 5